

APR 22 2008

## DARDI &amp; ASSOCIATES, PLLC

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## FACSIMILE COVER SHEET

TOTAL NUMBER OF PAGES BEING SENT: 3

[ ] Original documents to follow by mail [X] No originals will be sent

DATE: April 22, 2008

TO: Examiner Humera N. Sheikh  
Group Art Unit 1618

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3490 Piedmont Road  
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404.949.5730 phone  
612.746.3006 faxApplication No.: 10/605,526  
Applicant: Noyes

OUR REF.: 3516.32US01

FROM: Curtis B. Herbert, Ph.D., Esq.  
PHONE #: 612-605-1038

Attached is the following for filing in the above-identified application.

(1) Response to Interview Summary.

Respectfully submitted,

Curtis B. Herbert, Ph.D., Esq.  
Registration No. 45,443

## CERTIFICATE OF FACSIMILE TRANSMISSION

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Date

Curtis B. Herbert, Ph.D., Esq.

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PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 3516.32US01

Noyes

Confirmation No.: 1769

Application No.: 10/602,526

Examiner: Sheikh, H.

Filed: June 24, 2003

Group Art Unit: 1618

For: FILLERS AND METHODS FOR DISPLACING TISSUES TO IMPROVE  
RADIOLOGICAL OUTCOMES

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RESPONSE TO INTERVIEW SUMMARY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

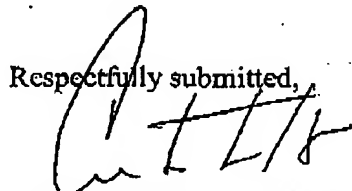
Sir:

The Examiner is thanked for the courtesy of a telephonic interview dated April 17, 2008. Applicant discussed the issue of whether the Examiner was open to the incorporation of providing broader biodegradable filler materials in the claims, asides from the claimed "collagen". Examiner indicated that Applicants, at present, have only provided for a sufficient description in the specification with regard to the use of "collagen" but have not sufficiently set forth a detailed description as to the use of the other fillers (i.e., have not clearly set forth how the other fillers would work effectively). Examiner suggested the filing of a continuation application, which provides a more detailed description of the other fillers used in the specification and to provide specifics as to what and how the ingredients are being used as well as discussion of amounts of each ingredient described. Applicant indicated that they may consider submitting experimental data to overcome any 112 enablement issues. Since

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application is currently under Final, any significant amendment to the claims and/or experimental data submitted may not be entered. No further agreement was reached at this time.

Respectfully submitted,



Curtis B. Herbert, Ph.D., Esq.  
Registration No. 45,443

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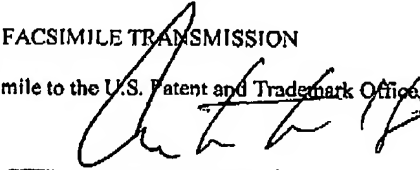
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April 22, 2008

Date

  
Curtis B. Herbert, Ph.D., Esq.